



02-13-06

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application of: Pramod K. Srivastava Confirmation No.: 8697  
Serial No.: 09/657,722 Art Unit: 1642  
Filed: September 8, 2000 Examiner: Christopher H. Yaen  
For: PEPTIDES FROM STRESS Attorney Docket No: 8449-115-999  
PROTEIN-PEPTIDE  
COMPLEXES

**RESPONSE TO EXAMINER'S SUPPLEMENTAL ANSWER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Supplemental Answer dated December 15, 2005, Appellant relies on Appellant's previous Reply Brief which was properly filed under 37 C.F.R. § 41.41 on May 20, 2005. A Request for Oral Hearing was also filed on May 20, 2005, accompanied by the requisite fee.

Appellant files this Response in view of a telephone conversation between Attorneys for Appellant and Administrator Dale Shaw of the Board of Patent Appeals and Interferences ("the Board") on January 4, 2006, wherein Administrator Shaw suggested that this Response would be sufficient since Appellant feels no further reply, beyond that made in the Reply Brief filed May 20, 2005, is necessary to the Examiner's Answer dated December 15, 2005. The Examiner's Answer dated December 15, 2005 is not substantively different from the Examiner's Answer dated March 23, 2005. The March 23, 2005 Examiner's Answer was vacated on October 31, 2005 by the Board because it was "not in compliance with the headings as set forth in the new rules under 37 C.F.R. § 41.37(c) effective September 13, 2004" (Order Returning Undocketed Appeal to Examiner dated October 31, 2005 at p. 1).

Accordingly, Appellant respectfully requests that the Board consider Appellant's previous Reply Brief and Request for Oral Hearing, both filed on May 20, 2005.

Appellant believes that no fee is required for the filing of this Response. However, should the Patent Office determine that a fee is due, please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: February 10, 2006

 32,605  
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